

U.S. Appl. No. 10/720,512
Docket No. 1999B060/3

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REMARKS

Reconsideration of this application is respectfully requested.

Claims 14-16 and 51-58 are currently pending. Claims 41-50 are withdrawn.

Claim 14 is amended. Support is found at page 11, lines 15-25. New claim 59 is supported by page 7, line 10. New claim 60 is supported by page 11, lines 15 to 30.

The amendment to the specification is supported by original claims 14 and 15 , and page 24 line 22 to page 25 line 20.

Upon indication of allowable subject matter, rejoinder of the withdrawn claims is requested.

The previous rejections under 35 US § 112 have been withdrawn. The rejection under 35 USC§102(b) over Nakagawa has also apparently been withdrawn. Clarification is requested.

Rejection under 35 USC § 112

The Examiner has rejected claims 14-16 and 51-58 under 35 USC § 112, first paragraph for not enabling the claimed invention. The Examiner suggests that the specification does not enable production of neat polymer having an MFR_(230/2.16) over 250 dg/min. Applicant respectfully disagrees.

Using an in house approximation method, we can estimate that an MFR_(230/2.16) of 250 or more corresponds to an Mw of about 86,000 or less. Turning to the examples we see that there are at least five polymers produced that have Mw's less than 86,000 which would thus have MFR's over 250. They are:

Copolymer	Mw	Estimated MFR	MI (dg/min)
E	58,400	about 1270	507
H	72,100	about 524	197
I	76,400	about 411	209
J	63,800	about 875	368
K	64,000	about 864	289

U.S. Appl. No. 10/720,512
Docket No. 1999B060/3

Thus, Applicant submits that the claimed invention is enabled under 35 USC § 112, first paragraph. Applicant respectfully request the Examiner withdraw the rejection.

If the Examiner desires a declaration containing the above table, such can be provided upon request.

Rejection under 35 USC § 112

The Examiner has further rejected claims 14-16 and 51-58 under 35 USC § 112, first paragraph for not enabling the claimed invention. The Examiner suggests that the specification does not enable production of neat polymer having an $MFR_{(230/2.16)}$ over 250 dg/min *and* an MI from 7 to 3000. Applicant respectfully disagrees. However to facilitate the prosecution process, Applicant has amended a lower limit of 78 dg/min in claim 14. Applicant respectfully submits that the rejection is overcome and requests that the rejection be withdrawn.

Rejection under 35 USC § 112, first paragraph

The Examiner has further rejected claims 15, 54 and 55 under 35 USC § 112, first paragraph for not enabling the claimed invention. The Examiner suggests that the specification does not support step (c) "wherein a second polymerization is performed and combined with a polymer having an $MFR_{(230/2.16)}$ greater than 250.

Applicant respectfully disagrees and directs the Examiner's attention to page 24 line 22- to page 25 line 20. However, for completeness sake, Applicant has amend the specification to provide literal support for claims 14 and 15 at page 25. Applicant respectfully submits that the rejection is overcome and requests that the rejection be withdrawn.

Rejection under 35 USC § 112, first paragraph

U.S. Appl. No. 10/720,512
Docket No. 1999B060/3

The Examiner has further rejected claims 14-16 and 51-58 under 35 USC § 112, first paragraph for not enabling the claimed invention. The Examiner suggests that the specification does not support a copolymer which simultaneously has $MI_{190/2.16}$ as low as 7 dg/min and an MFR of 250.

Applicant respectfully disagrees, however has amended the claims to increase the lower limit for MI to 78 dg/min and thus submits the instant rejection is moot. Applicant respectfully submits that the rejection is overcome and requests that the rejection be withdrawn.

Rejection under 35 USC § 102(e)

The Examiner has further rejected claims 14, 16 52, 56, and 58 under 35 USC § 102(e), as being anticipated by US 6, 407,171 (Agarwal). The Examiner suggests that the claimed invention is disclosed at the summary, and col 5, line 33-to col 2, line 2.

Applicant respectfully disagrees. Agarwal at col 5, line 33-to col 2, line 2, provides a description that covers just about every polypropylene available on the market today. No specific polypropylene is pointed to above any others as useful. In the Summary Agarwal discloses polypropylenes having a melt flow rate of greater than 500 dg/min and a melting temperature of 125 °C or more. Likewise, the one polypropylene in the examples made with a "metallocene" that has characterizing data reported is PP-1 which is reported to have a melting point of 145°C (second melt). Applicant's claimed invention requires the polypropylene have a melting point of 25 to 120°C Thus, Applicant respectfully submits that the claimed invention is novel over Argawal. Applicant respectfully submits that the rejection is overcome and requests that the rejection be withdrawn.

CONCLUSION

U.S. Appl. No. 10/720,512
Docket No. 1999B060/3


Applicant respectfully submits that the claims are in condition for allowance and respectfully requests notice of such. Please charge all charges with respect to this Amendment or otherwise, to Deposit Account No. 05-1712 maintained by the Assignee.

Respectfully submitted,

Date _____

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Respectfully submitted,



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